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THE SEVENTH AMENDMENT. — The Supreme Court of the United States has held in a recent decision that the Seventh Amendment¹ prevents Congress from authorizing an appellate court to enter judgment, as may be done in Pennsylvania, Massachusetts, and other states, when the trial judge has erred in failing to direct a verdict. *Slocum v. New York Life Ins. Co.*, 33 Sup. Ct. 523. Four justices dissented vigorously, pointing out that the higher court is thus prevented from rendering the same decision which it was the right and duty of the trial judge to render. A short article by Mr. John L. Thorndike in the present number of this REVIEW renders an extended discussion unnecessary here. The logical consequences of the decision, however, may go far. How does the matter stand, for example, if the jury refuses to enter a verdict properly directed by the court? The right to direct a verdict ought to carry with it the power to enforce the order;² and a statute authorizing a court to enter the verdict if the jury proves recalcitrant would seem the merest common sense. But would not such a statute according to the reasoning of this opinion violate the Seventh Amendment?

PRINCIPLES GOVERNING RECOVERY BY PARTIES TO ILLEGAL CONTRACTS. — For obvious reasons of policy the courts will not in general

¹ Art. VII. " . . . The right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law."

² *Curran v. Stein*, 110 Ky. 99; *Cahill v. Chicago, M. & S. P. Ry. Co.*, 74 Fed. 285.